

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

CIVIL MOTION HEARING

Mildred Baldwin and Ronald Struckhoff, on
behalf of themselves and others similarly
situated,

Plaintiffs,

v.

Miracle-Ear, Inc.,

Defendant.

COURT MINUTES
BEFORE: Hildy Bowbeer
U.S. Magistrate Judge

Case No.: 20-cv-1502 (JRT/HB)
Date: November 16, 2020
Location: Via ZoomGov
Court Reporter: Lori Simpson
Time: 10:00 a.m. – 10:36 a.m.
(36 minutes)

APPEARANCES:

For Plaintiffs: Catherine Smith, Anthony Paronich

For Defendant: Erin Hoffman, Nathan Brennaman

Also present: Sarah Gorsuch (in-house counsel for Miracle-Ear)

PROCEEDINGS:

The Court held a hearing on Defendant's Motion to Stay Proceedings [ECF No. 14] and Plaintiffs' Motion for Rule 16 Case Management Conference and to Permit the Issuance of a Subpoena [ECF No. 22]. The Court denied Defendant's Motion to Stay Proceedings and granted Plaintiff's motion insofar as it sought to compel a Rule 26(f) and Rule 16 conference, but denied as moot Plaintiff's motion insofar as it sought permission to issue subpoenas to non-parties who were subsequently added as parties to the case.

The Court will issue an order scheduling a Rule 16 conference for December 2020. The parties should proceed with their Rule 26(f) conference as soon as practicable after counsel appears for the recently added Defendants even if those Defendants are granted an extension of time to answer or otherwise respond to the Amended Complaint. The Court instructed the parties to meet and confer during the Rule 26(f) conference about ways to structure fact and expert discovery efficiently in view of the pending decision in *Facebook v. Duguid*, No. 19-511, 2020 WL 3865252 (2020).

s/ Erin Emory

Judicial Law Clerk